

MULTIPLE DWELLING REPORTING RULE

Pursuant to the Multiple Dwelling Reporting Rule (MDRR) (N.J.A.C. 13:10-1 et seq.), the Director of the NJ Division on Civil Rights (Division) is authorized to assess penalties against property owners and property managers who fail to provide certain information concerning multiple dwelling units, including the racial and ethnic composition of leaseholders, and other relevant factors. The purpose of this reporting requirement is to enable the Division to study patterns of housing occupancy, to investigate practices of discrimination and to affirmatively administer the Law Against Discrimination (N.J.S.A. 10:5-1 et seq.).

Questions & Answers

Q. Who is required to report?

A. The owner or owners of every apartment complex with 25 or more units.

Q. When is the report due?

A. Under the 1999 amendments to the regulations, reports are due to the Division each year by January 30th covering the period of January 1st through December 31st of the prior year.

Q. Do owners of condominium complexes have to submit a report?

A. If one person or entity owns 25 units or more within the complex, that person or entity is required to report on those units.

Q. When identifying the race or national origin of a family occupying a unit in a multiple dwelling, which individual person in the family determines the category of the family?

A. The lease holder/holders.

Q. How do you classify a unit when there are leaseholders of different racial/ethnic groups?

A. The protected class is always identified on the annual report. If the leaseholders are of different protected classes the

percentage should be noted for each class e.g. (black .50 & latino .50).

Q. How is race/ethnicity defined?

A. Black or African American: a person having origins in any of the original peoples of Africa.

Hispanic or Latino: a person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish origin or culture, or a person having a Spanish surname.

Asian: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

American Indian or Alaskan Native: a person having origins in any of the original peoples of North or South America.

Native Hawaiian or Other Pacific Islander: a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White or Caucasian: a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Q. Is it legal to ask, record & track racial & ethnic composition of an apartment complex?

A. The New Jersey Supreme Court has ruled that the Division on Civil Rights may obtain such information in order to fulfill its mission to eliminate unlawful discrimination in housing, see N.J. Builders, Owners and Managers Association v. Blair, 60 N.J. 330 (1972).

Q. How should one maintain MDRR data?

A. It should be recorded on the MDRR Tenant/Applicant Inquiry form separate from rental applications and records.

Q. How long do I have to maintain MDRR records?

A. Pursuant to N.J.A.C. 13:10-2.5(b), such records shall be kept on file for a period of three years.

Q. When a property is sold, or there is a change in the name and/or address of the owner, who is responsible for notifying the Division of the change?

A. The property owner on file with the Division must report any change in ownership, or any change in the owner's name or address.

The following is a listing of The Division's Offices:

ATLANTIC CITY OFFICE:

**26 South Pennsylvania Avenue
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CAMDEN REGIONAL OFFICE:

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TRENTON REGIONAL OFFICE:

**140 East Front Street, 6th Floor
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TTY Users may contact the New Jersey Division on Civil Rights through the New Jersey Relay Operator. Dial 711 and ask the Relay Operator to contact the Division at (609) 292-7701.

Visit the Division on Civil Rights website at www.NJCivilRights.com